



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

PAM SLATER-PRICE
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

DATE: January 25, 2011

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TO: Board of Supervisors of Supervisors

SUBJECT: REDISTRICTING SAN DIEGO COUNTY SUPERVISORIAL DISTRICTS
(DISTRICT: ALL)

SUMMARY:

Overview

On December 7, 2010 (17) the Board of Supervisors initiated the 2011 redistricting process pursuant to which the Board of Supervisors will evaluate and adjust, as necessary, the boundaries of the five supervisorial districts in San Diego County based on the 2010 federal decennial census data. The Board of Supervisors approved in principle the establishment of a Redistricting Advisory Committee that will submit a report and recommendations to the Board of Supervisors on or before June 28, 2011. The Board of Supervisors directed County Counsel to return on January 25, 2011 with a resolution establishing the Redistricting Advisory Committee. The Board of Supervisors also directed the Chief Administrative Officer to develop redistricting criteria, opportunities for public input on redistricting plans, and timelines relating to the 2011 redistricting process, and to return for your consideration and adoption on January 25, 2011. This letter complies with those directives.

Recommendation(s)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt the accompanying Resolution to Establish a Redistricting Advisory Committee, creating membership qualifications, related procedures, meeting requirements, staffing criteria, duties and responsibilities, and terms of service. Waive certain provisions of Board of Supervisors Policy A-74.
2. Adopt the proposed 2011 Redistricting Criteria and Guidelines set forth in Attachment A to govern the 2011 Redistricting Process.
3. Approve the proposed Redistricting Timeline set forth in Attachment B, establishing a framework for the work of the Redistricting Advisory Committee, as well as public participation in the 2011 Redistricting Process.

Fiscal Impact

Costs associated with today's recommendations are included in the Fiscal Year 2010-

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11 Adopted Operational Plan in the Community Services Executive Group Office. Costs are anticipated to be approximately \$250,000 and the source of funding is the General Fund. This request will result in the addition of no staff years.

Business Impact Statement

N/A

Advisory Board Statement

N/A

BACKGROUND:

Principal Redistricting Authorities

California Elections Code § 21500 sets basic procedural and substantive redistricting requirements, as follows:

§ 21500. Adjustment of boundaries of supervisorial districts following federal census

Following each decennial federal census, and using that census as a basis, the board shall adjust the boundaries of any or all of the supervisorial districts of the county so that the districts shall be as nearly equal in population as may be and shall comply with the applicable provisions of Section 1973 of Title 42 of the United States Code (Section 2 of the Voting Rights Act), as amended. In establishing the boundaries of the districts the board may give consideration to the following factors: (a) topography, (b) geography, (c) cohesiveness, contiguity, integrity, and compactness of territory, and (d) community of interests of the districts.

The United States Constitution, as interpreted by the courts, further prohibits equal protection violations, including the intentional dilution or abridgment of the right to vote of protected classes, and racial gerrymandering.

San Diego County Charter Section 400.1 requires that the area of at least two supervisorial districts shall be as substantially outside the City of San Diego as the population will permit.

Establishment of Redistricting Advisory Committee

California Elections Code § 21505 allows the Board of Supervisors to appoint a purely advisory redistricting committee, as follows:

§ 21505. Committee to study changing of boundaries of supervisorial districts

The board may appoint a committee composed of residents of the county to study the matter of changing the boundaries of the supervisorial districts. The committee shall make its report to the board of its findings on the need for change of boundaries, and the recommended changes, within six months after the final population figures determined in each federal

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decennial census have been released, but in any event not later than August 1st of the year following the year in which the census is taken. Recommendations of the committee are advisory only.

Adoption of the accompanying "Resolution to Establish a Redistricting Advisory Committee" establishes a five-member committee to advise the Board of Supervisors concerning the 2011 redistricting process. The Committee shall consist of five (5) members, one nominated by each member of the Board, and appointed by the Board of Supervisors. Each member of the Committee shall be a resident and registered voter of the County. The resolution sets forth membership qualifications, related procedures, meeting requirements, staffing criteria, duties and responsibilities, and term of service. Meetings of the Committee and any subcommittees shall be subject to applicable provisions of the Brown Act and any contrary provisions of Board of Supervisors Policy A-74 should be waived.

The Committee will review and analyze census data, receive and evaluate public input concerning the 2011 redistricting process at public meetings (including at least one public meeting in each district), hold at least one public hearing to consider the Committee's proposed redistricting plan(s) before submission to the Board of Supervisors, and on or before June 28, 2011, submit to the Board of Supervisors its report and no more than three proposed redistricting plans for the Board of Supervisors' consideration, pursuant to Elections Code § 21505.

Redistricting Criteria

The Board of Supervisors is requested to adopt criteria and guidelines to provide a legal framework for the 2011 redistricting process. Attachment A sets forth legal principles specified in federal law, the State Elections Code, and the San Diego County Charter which are applicable to the establishment of district boundaries. It also sets forth additional criteria which should be taken into consideration during the 2011 redistricting process.

2011 Redistricting Timeline

The proposed redistricting timeline set forth in Attachment B provides a rigorous schedule for the work of the Redistricting Advisory Committee and County staff to evaluate 2011 census data, seek, receive and evaluate public input regarding the redistricting process, and prepare a report and proposed redistricting plan(s) for submission to the Board of Supervisors no later than June 28, 2011. The timeline and its associated tasks address the Board of Supervisors' desire to provide opportunity for public participation in the short period of time available.

Public Participation

The public review and outreach component of the redistricting process is designed to educate the public about redistricting and to encourage the informed participation of the region's citizens. Initial county-wide informational meetings will be held to begin the public outreach process. These meetings will provide the opportunity for the public to comment on the redistricting process and share community concerns. The Redistricting Advisory Committee will hold public

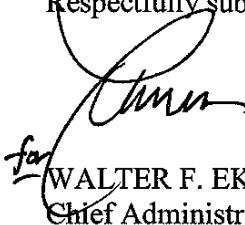
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meetings in each of the five supervisorial districts. There will be a period during which the public can submit proposed redistricting plans. Thereafter, proposed redistricting plans developed by the Redistricting Advisory Committee will be made available for public review and comment. Information about the redistricting process and plan(s) will be made available to the public via the County website. Finally, the Redistricting Advisory Committee and County staff will hold a public meeting during which the public may comment on the recommendations and suggested plans that the Committee proposes to submit to the Board of Supervisors for consideration. This timeline should result in final proposed redistricting plan(s) for the Board of Supervisors' consideration within the timeframe and criteria established by the Board of Supervisors.

Linkage to the County of San Diego Strategic Plan

The proposed actions support the Required Discipline of Accountability/Transparency in the County of San Diego's 2010-15 Strategic Plan by establishing a redistricting process in compliance with all legally required time frames, and one that provides opportunity for public participation.

Respectfully submitted,



WALTER F. EKARD
Chief Administrative Officer

ATTACHMENT(S)

Resolution to Establish a Redistricting Advisory Committee

Attachment A: 2011 Redistricting Criteria and Guidelines

Attachment B: 2011 Decennial Redistricting Timeline

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: ☐ Yes ☒ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
☐ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:
December 7, 2010 (17) Establishing a Redistricting Process

BOARD POLICIES APPLICABLE:
A-74 Citizen Participation in County Boards, Commissions and Committees

BOARD POLICY STATEMENTS:
A waiver of a portion of Section E (2) of Board of Supervisors Policy A-74 relating to secret meetings is requested to allow for potential closed sessions of the Redistricting Advisory Committee and/or any subcommittees.

MANDATORY COMPLIANCE:
N/A

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):
N/A

ORIGINATING DEPARTMENT: Community Services Group

OTHER CONCURRENCE(S): N/A

CONTACT PERSON(S):

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